

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

RAMADA WORLDWIDE INC., a Delaware Corporation,

Plaintiff,

v.

ERS INVESTMENT INC., a Colorado Corporation, EUGENE CHUN, and SEOK KANG, individually,

Defendants.

**DOCUMENT FILED
ELECTRONICALLY**

Civil Action No. 07-1095 (WHW)(MCA)

Hon. William H. Walls, U.S.D.J.

**FINAL JUDGMENT BY DEFAULT AS
TO DEFENDANT ERS INVESTMENT
INC.**

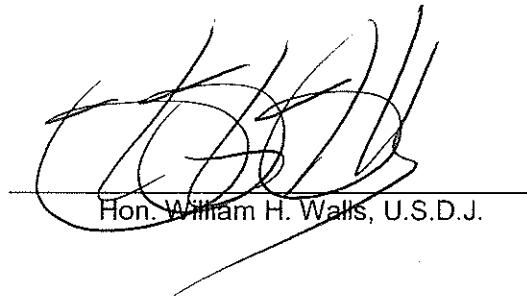
This matter having been opened to the Court by way of motion filed by Plaintiff Ramada Worldwide Inc. ("RWI"), by its attorneys, Gibbons P.C., seeking the entry of final judgment by default against Defendant ERS Investment Inc., ("ERS") pursuant to Fed. R. Civ. P. 55(b)(2); and it appearing that the Complaint in this matter was filed on March 8, 2007, seeking damages as a result of the breach and premature termination of a license agreement between RWI and Defendant ERS and damages for trademark infringement and unjust enrichment under the Lanham Act; and service of a copy of the Summons and Complaint having been effectuated with respect to Defendant ERS, and the time for answering the Complaint having expired; and ERS having not been granted an extension of time within which to interpose an answer, having failed to interpose an answer or otherwise respond to the Complaint; and it appearing that default was duly noted by the Clerk of the Court against Defendant ERS on July 17, 2007 for failure to plead or otherwise defend in this action; and RWI having provided Defendants with notice of the motion for default judgment and related documentation; and the Court having reviewed the papers; and good cause having been shown:

IT IS on this 23 day of January, 2008,

ORDERED, ADJUDGED AND DECREED, that RWI have judgment against Defendant ERS and in the total amount of \$833,729.66, comprised of the following:

- (a) \$188,904.93 for Recurring Fees (principal plus prejudgment interest);
- (b) \$133,000.00 for liquidated damages under the License Agreement (principal plus prejudgment interest);
- (c) \$1,345.00 in liquidated damages under the Satellite Addendum (principal plus prejudgment interest);
- (d) \$496,522.23 in infringement damages under the Lanham Act;
- (e) \$14,007.50 in attorneys' fees and costs; and

IT IS FURTHER ORDERED, that RWI serve this ORDER on all Defendants within 10 days of this ORDER.



Hon. William H. Walls, U.S.D.J.